

10-23 and page 17, lines 13-20. Support for new claim 18 may be found at least in Fig. 1, and page 15, lines 13-20. Thus no new matter is added.

The attached Appendix includes marked-up copies of the rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

Applicants respectfully request the withdrawal of the restriction requirement and consideration and allowance of claims 4-17. Upon allowance of claim 1 withdrawn claims 4-14 must be allowed as they depend from claim 1. Further, upon allowance of generic claim 1, withdrawn claims 15-17 should also be allowed because Applicants are entitled to allowance of claims directed to a reasonable number of species (37 C.F.R. §1.141a). For example, claims to five individual species have been allowed with an allowable generic claim (In Re Weber, Soder and Boksay, 198 USPQ 328, 334 (CCPA 1978)).

The Office Action rejects claims 1-3 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,998,903 to Umeda et al. (Umeda) in view of JP 404364339A to Akihiro. As claim 2 is canceled, the rejection of the claim is moot. The rejection of claims 1 and 3 is respectfully traversed.

It is admitted in the Office Action that Umeda does not disclose an elastic member disposed between the stator core and the frame to be inserted therebetween. To overcome the admitted deficiency the Office Action combines Akihiro and alleges that it would have been obvious to one of ordinary skill in the art at the time the invention was to made to modify and utilize the stator core and frame as taught by Umeda and insert the elastic member of Akihiro.

Applicants assert that Akihiro does not disclose or suggest a rotary electric machine, comprising an elastic member disposed between the stator core and the frame...wherein the stator core is elastically held in the frame through the elastic member and the elastic member has an outer peripheral surface generally press-contacting an inner peripheral surface of the

frame, and an inner peripheral surface generally press-contacting an entire outer peripheral surface of the stator core.

Akihiro discloses grooves 17, 18 formed on the outer peripheral surface of a stator core 13 that are filled with a vibration damping material 16 that has a thermal expansion coefficient higher than that of the stator core 13. The damping material 16 in the grooves 17, 18 is provided to be level with, or lower than, the outer peripheral surface of the stator core 13 at room temperature, i.e., when the stator core is fitted into the frame 10. Thus, the stator core is in direct contact with the frame. As such, it is impossible for the outer peripheral surface of the vibration damping material 16 to generally press-contact the inner peripheral surface of the frame and for the inner peripheral surface of the vibration damping material to generally press-contact the entire outer peripheral surface of the stator core.

Additionally, when electrical power is supplied to the stator and heat is generated, the vibration damping material 16 expands at a greater rate due to its thermal expansion coefficient, than the surface of the stator core. Accordingly, the outer peripheral surface of the stator core is partially separated, or "floats", from the inner peripheral surface of the frame 10 by the protruding material. As such, the inner peripheral surface of the vibration damping material does not press-contact the entire outer surface of the stator core. Furthermore, when electrical power is not supplied, or immediately following electrical power being supplied, the vibration damping material is not protruded from the grooves because heat has not yet been produced to thermally expand the damping material. Thus, the stator core is in direct contact with the frame. As such, even were Akihiro combined with Umeda, such combination would not disclose or suggest all of the features recited in the claims. Accordingly, Applicants respectfully request the rejection of claims 1-3 under 35 U.S.C. §103(a) be withdrawn.

In view of the foregoing, reconsideration of the application is requested. It is submitted that the claims as presented herein patentably distinguish over the applied references and fully meet the requirements of 35 U.S.C. §112. Accordingly, allowance of claims 1, 3 and 18 and rejoinder in allowance of claims 3-17 is respectfully solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,


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Attachment:
Appendix

Date: October 10, 2002

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>

APPENDIX

Changes to Claims:

Claim 2 is canceled.

The following is a marked-up version of the amended claim:

1. (Amended) A rotary electric machine, comprising:
 - a frame having an air opening through which air flows;
 - a stator core disposed to be supported in the frame, the stator core having a plurality of slots;
 - a stator winding including a plurality of conductor segments each of which is formed into an approximate U-shape having a pair of leg parts, the stator winding being inserted into the stator core through the slots to have both coil ends protruding from both ends of the stator core, respectively;
 - a rotor disposed opposite to the stator core to be rotatable;
 - a cooling fan for blowing air toward the both coil ends of the stator winding;and
 - an elastic member disposed between the stator core and the frame to be inserted therebetween, wherein:
 - the conductor segments are inserted into the slots of the stator core in such a manner that, the leg parts of each conductor segment penetrate through the slots from one end of the stator core to the other end thereof, and are connected at top ends; and
 - the conductor segments are arranged to have predetermined clearance between adjacent two thereof at the both coil ends of the stator winding, into which air blown by the cooling fan flows; wherein:
 - the stator core is elastically held in the frame through the elastic member; and

the elastic member has an outer peripheral surface generally press-contacting an inner peripheral surface of the frame, and an inner peripheral surface generally press-contacting an entire outer peripheral surface of the stator core.